

**City of Saint Paul
Compensatory Time Policy
for FLSA Exempt Supervisors & Managers**

Effective: September 3, 2004

Revised: April 17, 2007

Unless otherwise specified in the collective bargaining agreement, FLSA (Fair Labor Standards Act) exempt, or “salaried,” managers are not eligible for compensatory time, except in unique circumstances. Managers at this level are expected to organize their time and projects appropriately, or delegate as needed.

Department and Office Directors should only approve compensatory time for pre-approved, unusual, or one-time projects that are substantial in nature and must be done by the employee in question. Compensatory time is not intended for ongoing daily work or for an occasional extra hour worked.

Analysis of Supervisory Collective Bargaining Agreements

All employees in the Saint Paul Supervisors Organization (SPSO) are FLSA exempt. That contract allows for compensatory time at straight time for all hours worked over 40, but doesn’t require it. Employees in Manual and Maintenance Supervisors (M&Ms) are FLSA exempt at grade 42 and above, but their collective bargaining agreement requires straight time for all hours worked over 40. The collective bargaining agreement for Fire Supervisory Association (FSA) and Police Federation requires time and a half for all hours worked over 40, regardless if the employees are FLSA exempt or not.

IF YOU HAVE QUESTIONS REGARDING THIS POLICY, PLEASE CONTACT:

Angie Nalezny (266-6515) or Jason Schmidt (266-6503) - Office of Human Resources

Attachment A: Applicable collective bargaining agreements, specific contract articles

Saint Paul Supervisors Organization (SPSO)

Article 5 - Work Schedules

- 5.1 All bargaining unit employees are exempt from the overtime pay provisions of the federal Fair Labor Standards Act and similar state legislation as executive or administrative employees and are salaried employees of the City who are not compensated on an hourly basis. The provisions of Section 28H (Overtime Compensation) of the Saint Paul Civil Service Commission Rules shall not apply to employees in this bargaining unit.
- 5.3 **Employees who work more than eighty (80) hours in a two-week payroll period may be granted compensatory time with the approval of their department head or his/her designee.**
- 5.4 **Compensatory time off shall be scheduled and approved in advance. Employees and their supervisors shall diligently work together to schedule compensatory time off so that employees may make maximum use of their accrued compensatory time without unreasonably disrupting the business of the Employer.** Alternatively, the Employer may pay cash in lieu of time off for some or all of an employee's accrued compensatory time at the sole discretion of the employee's Department Head subject to the Department's budgetary considerations and, if necessary, approval of the City's Budget Director. If made, such payment shall be based upon the pro rated portion of the employee's salary in effect at the time of such payment with regard to such hours liquidated by cash payment.

Manual and Maintenance Supervisors (M&MS)

Article 11 - Overtime And Premiums

- 11.1 Employees (with the exception of those covered in Section 11.2 hereof) shall be paid one and one-half (1.5) times the regular rate of pay for work performed in excess of the regular work day and/or the forty (40) hour work week.
- 11.2 Employees in classifications in salary grade 42 or above shall be paid straight time for work performed in excess of the regular work day and/or forty (40) hour work week.
- 11.3 An Employee who is called back to work following the completion of his/her regular work

Fire Supervisory Association (FSA)

Article 21 – Overtime

- 21.1 Employees required to work in excess of their assigned tour of duty will be compensated at the rate of one and one-half (1.5) times the employee's normal rate. Such compensation shall be made in cash or in compensatory time at the option of the Employer.